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IN RE: ARKANSAS SENATE DISTRICTS and )  
ARKANSAS HOUSE DISTRICTS. )  
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## LARRY CRANE

5 MR. LARRY CRANE: I am Larry Crane. I  
6 work for Mark Pryor, our Attorney General,  
7 who is one of the three constitutional  
8 officers that are on the Board of  
9 Apportionment.

10                   The Governor is the Chairman of the  
11                   Board of Apportionment. The Secretary of  
12                   State is a member and the Attorney General  
13                   is a member by Article 11 of our  
14                   Constitution.

15                   We are here today to visit with you  
16                   all, but mostly to listen to you all, about  
17                   a process that is going to kick off right  
18                   now and over the next few months, where the  
19                   Board of Apportionment has the obligation of  
20                   setting new lines for all of the 100 house  
21                   seats and 35 senate districts in the state.

22                   The three constitutional officers are  
23                   represented today. Greg Kirkpatrick -- wave  
24                   to let them know -- is here representing  
25                   Governor Huckabee. Ron Maxwell, in the

2

1                   green, and Tim Humphries are here  
2                   representing the Secretary of State.

3                   We want you to know that during this  
4                   whole process, all of the offices are

5           available to you and are open to any  
6           comments or suggestions that you have, and  
7           we truly want them.

8           There are a number of ways that you can  
9           get your comments and suggestions to us.  
10          The first is that we have a redistricting  
11          office set up in the Aegon Building, right  
12          across the street from the State Capitol in  
13          Little Rock -- is it 102 -- right inside the  
14          front door of the Aegon Building -- that has  
15          a computer system setup with a comment  
16          section, and we would really like for your  
17          comments to be sent to that address, if we  
18          could. This is the address,  
19          www.state.ar.us\arkdistrict. That will get  
20          you to us.

21          There are links from that page to all  
22          of the various offices and their websites.  
23          If you go to the state website, the State of  
24          Arkansas website, there are links to this  
25          and to each of the constitutional officers'

1 websites, and everything that you send in is  
2 going to be shared with all of the offices  
3 as comments, anyway.

4 This would be the most logical place  
5 and the most logical vehicle to get your  
6 comments to the Board of Apportionment.  
7 Obviously, any of the constitutional  
8 officers would like to hear, if you would  
9 like to talk to them or send a message to  
10 them personally, that would be wonderful.  
11 But this will get you to them.

12 The website also has -- the Board of  
13 Apportionment website also has a personal  
14 contact address for the staff of each of the  
15 offices.

16 It has my office address, telephone  
17 number; Tim's office address, telephone  
18 number; and Greg's; and Butch Reeves is  
19 heading up their team and it has a site for  
20 him. Here they are. You can find each of  
21 us that way. We are not that hard to find.

22 Let me talk very briefly about the  
23 process that we will be going through. We  
24 do not have final numbers yet for the  
25 census, obviously. The best that we have

1           are 1999 estimates that were put out last  
2           year by the Census Bureau.

3                 If you have one of the handouts, it is  
4           a comparison between the 1990 census and the  
5           1999 numbers. That is of interest and I  
6           believe Tim or Greg will be talking about  
7           that more in just a little bit.

8                 We will actually get final numbers at  
9           the precinct level. The Census Bureau has  
10          committed to a March 31st deadline. In our  
11          hearts, we know that it probably won't get  
12          here until April the 15th, but we will  
13          welcome it whenever it gets here.

14                We will get -- or everyone will get  
15          county-by-county gross totals at some point  
16          earlier than that. The Census Bureau has a  
17          target date of the end of the year for  
18          getting out the county-by-county gross  
19          totals which will allow congressional  
20          districts to be drawn.

21                As you know, the legislature actually  
22          draws those districts and it would allow  
23          that process to go on forward while they are

24 in session.

25 We will get our numbers, as I said, the

5

1 first of April or so. We will -- the staffs  
2 will be meeting and talking and working  
3 between April and whenever we can to get a  
4 draft done.

5 The website -- as we get things  
6 finished, the plan at this point is for the  
7 website to have the actual working maps that  
8 we have done so that everyone can see what  
9 is going on.

10 Before the State Board of Apportionment  
11 meets officially, all of this will be  
12 circulated via the website.

13 They will meet, probably, during the  
14 session at some point to talk about setting  
15 the actual parameters that will be used, the  
16 considerations that have to be included by  
17 law, and the Supreme Court decisions that  
18 have come down.

19                   Some of those things are whether or not  
20                   they are being a minority/majority --  
21                   majority/minority districts at this time,  
22                   whether to split county lines, for example,  
23                   or whether to make every effort not to split  
24                   counties, which, I think, is one that you  
25                   all will be very interested in down here.

6

1                   We would like to hear every comment that you  
2                   have on those issues.

3                   They will set the parameters, and the  
4                   final drafts, if you will, will be drawn,  
5                   and then, sometime in early summer,  
6                   hopefully, the Board of Apportionment will  
7                   have another round of full, formal, public  
8                   hearings around the state.

9                   This time, we're doing twelve public  
10                  hearings to gather information. That number  
11                  may or may not vary and the locations may or  
12                  may not vary. But they will be doing a full  
13                  round of public hearings before adoption of

14 any plan, so that you all will have the  
15 opportunity to see the plans, to talk, to  
16 come and share your concerns or your  
17 suggestions with them and with the staff.

18 Then, at some point, hopefully, the  
19 plan will be finalized by October, and in  
20 October -- that will give everyone time to,  
21 if they need to, to decide to move into a  
22 new place so that they can be in their right  
23 district if they want to run in the  
24 following election year.

25 The numbers that we will be using this

7

1 time -- in last census, the Census Bureau  
2 used townships as the basic building block  
3 for the census information. This time, it  
4 will be done on a precinct level, which is a  
5 much, much finer level of detail.

6 It should allow us to do a much better  
7 job of easing out some of the rough spots  
8 that we have, and we are hopeful that it





4 here, and you all, also, will be involved in  
5 redistricting at your own level as the  
6 census comes out. JP districts, for  
7 instance, have to be done by January of  
8 2002.

9 So, in furtherance of that, one thing  
10 that we are doing in our state  
11 reapportionment office is using this  
12 software to reduce the current JP districts  
13 in all the counties -- all 75 counties of  
14 the state, get them into this software  
15 program, get them entered on the computer,  
16 and we are going to be sending those maps  
17 out back to the counties.

18 Do we have any members of election  
19 commissions here today? We are going to be  
20 sending those maps to the various counties  
21 and we are going to be offering assistance  
22 to folks at the local level. We are going  
23 to have enough of this computer software and  
24 hardware, I think, and personnel available  
25 to help local folks at least draw the JP

1 districts. So we will be letting you know  
2 more about that as that sort of develops.

3 Again, the purpose of this is to help  
4 us redraw these districts. One of the  
5 things that this kind of software does --  
6 the technology in 2000 is a whole lot better  
7 than the technology was in 1990, and there  
8 wasn't any technology like this in 1980,  
9 other than a hand-held calculator and  
10 crayons, that was just about it.

11 So we have come a long way in two  
12 decades. I mean, gosh, just about every --  
13 when Larry mentioned the website, just about  
14 everybody knew what he was talking about, I  
15 think. I didn't see any looks of -- that  
16 you didn't recognize what he was talking  
17 about on any faces here.

18 So we have come a long way in the last  
19 couple of decades. We're in the computer  
20 age for sure. The computer in this process  
21 is going to give us a lot of options and  
22 then give us a lot of things to look at and  
23 so, so to speak, both speeds up the process  
24 and slows it down.

25 Does anybody have questions about that

1 -- the computer equipment? Yes, sir?

2 UNIDENTIFIED SPEAKER: Talking about  
3 the JP districts, how accurate are they  
4 going to be in you all's system?

5 MR. TIM HUMPHRIES: Well -- would you  
6 state your name, please, for the court  
7 reporter?

8 UNIDENTIFIED SPEAKER:  
9 (Unintelligible.)

10 MR. TIM HUMPHRIES: Okay. They are  
11 going to be as accurate as we can possibly  
12 make them. What we are doing is we are  
13 taking the maps that each county sent to the  
14 Secretary of State's office, as required by  
15 law, of the JP districts, and we are putting  
16 them into the computers.

17 As soon as we get a computerized map,  
18 they are going to be sending that back to  
19 the counties to check our work, to make sure  
20 that it is accurate as far as the counties.

21 UNIDENTIFIED SPEAKER: Okay. The

22 districts you all put in 1990 -- what you're  
23 talking about --

24 MR. TIM HUMPHRIES: No --

25 UNIDENTIFIED SPEAKER: -- that you're

11

1 working from --

2 MR. TIM HUMPHRIES: Right. Right.

3 UNIDENTIFIED SPEAKER: Okay. They have  
4 changed -- say the county -- since the  
5 county, in 1990, has gone to 911, the  
6 addresses are all changed. What's that  
7 going to do you all's system? This is on  
8 routes and now you're going to physical  
9 addresses.

10 MR. TIM HUMPHRIES: That's not going to  
11 change our system much at all, due to the  
12 extent that the Census Bureau will have been  
13 able to get road names and the street names  
14 that were done by 911 into what's called  
15 their Tiger file. Then we will have road  
16 names and street names.

17                   But as far as finding any individual's  
18                   address on there, we're not going to be able  
19                   to do that, and that's not really a concern  
20                   at all.

21                   UNIDENTIFIED SPEAKER: What I found out  
22                   about their Tiger file -- the census from  
23                   that that they produce is, part of it was  
24                   inaccurate. I know our county -- we have to  
25                   go through and manually redo their map. I

12

1                   don't know if they have them in there or  
2                   not.

3                   MR. TIM HUMPHRIES: Well, it is going  
4                   to be in their system. That's part of what  
5                   we're going to get at the start of the year  
6                   2001, and the counties are also going to  
7                   receive their map.

8                   If you've got some concerns about  
9                   inaccuracies as they reflect on legislative  
10                  redistricting, I would appreciate it if you  
11                  would give us a call and let us try to work

12                   it out. It would be a good idea.

13                   I know that the Census Bureau sends out  
14                   hard-copy maps. It's in a bundle -- you're  
15                   familiar with it -- Columbia County probably  
16                   has, what, twenty maps in that bundle,  
17                   something like that. So it's quite a chore  
18                   to do that, but yes, it would be to your  
19                   benefit, I think, to go ahead and go through  
20                   those pretty close.

21                   Anybody else got any questions about  
22                   that process? If not, we'll just throw it  
23                   open for comments about the system.

24                   By the way, what we have here is a  
25                   precinct level map -- what we're showing

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1                   here is a precinct level map of the area  
2                   here, and that's the precincts as they were  
3                   reported to the census -- the 1990 census.

4                   And we will be able to, with just a  
5                   click -- click of the mouse, basically, move  
6                   precincts back and forth between districts

7 in order to satisfy all the requirements  
8 that the board is going to have -- be doing  
9 their job by, and population, obviously, and  
10 staying within ten percent variance of  
11 the -- the biggest district must be within  
12 ten percent of the smallest district.

13 So the computer helps us keep track of  
14 that and helps us meet those population  
15 requirements.

16 Okay. Anybody have any comments,  
17 questions or concerns?

18 MR. JERRY PILE: Jerry Pile. I'd like  
19 to make a few comments about a problem that  
20 occurred in one precinct -- I won't give the  
21 name -- but that one rural precinct had five  
22 voting boxes -- needed a sixth, but that one  
23 combination was not programmed in.

24 We were split between multiple JP  
25 districts and multiple legislative districts



2 accommodate 95 percent of the people -- the  
3 other people had to have a ballot which was  
4 not present.

5 The result was it was very difficult  
6 for the people to vote either for a  
7 legislator or to vote for a JP or to vote in  
8 one of the national and state elections  
9 because the combination -- it was just too  
10 much revision.

11 One box has 600, 700 voters, normally.  
12 And the result -- some individuals elected  
13 not to vote in certain local elections or to  
14 even -- not vote in a legislative district  
15 because they could vote faster. And I think  
16 whatever we do, we've got to reduce, in an  
17 individual box, the number of combinations  
18 that are there.

19 MR. TIM HUMPHRIES: Yes, that happens.  
20 I mean, it didn't just happen here, but it  
21 happens in a number of parts of the state.  
22 And I agree that it causes a great deal of  
23 confusion on election day.

24 I hate to pass the buck, but I'm going  
25 to. There is not a lot that we can do about

1           that. In an ideal world, you would lay your  
2           state representative line right on top of  
3           your senate line, right on top of your JP  
4           lines, but because of the population  
5           requirement, it's just about impossible to  
6           do that.

7           You can't lay your representative lines  
8           over your senate lines, because of the  
9           difference in the numbers required. For  
10          instance, if you will look at your hand-out  
11          there, it has got an estimated population  
12          for the state.

13          And I do want to point out that those  
14          are -- those '99 numbers are estimates for  
15          those counties and for the state-wide total.  
16          They're not -- don't put a great deal of  
17          stock in them, although I think they are  
18          probably pretty close.

19          But if you'll look at that and you  
20          divide by hundred into the total population  
21          of the state, it will yield about 25,000 and  
22          change. That is going to be the size of the  
23          average senate -- the average house  
24          district.

25          And if you will divide 35 into it --

1           that's the number of senate districts --  
2           into the total population for the state, it  
3           yields about 72,000 and change.

4           And so, you know, three house districts  
5           would be 75 and -- but your ideal district  
6           size is 72 -- so it becomes really  
7           impossible to nest the house districts  
8           within the senate districts, totally because  
9           of that number.

10          And then the Board of Apportionment  
11          pretty much has to do its work first, as far  
12          as drawing in the house and senate lines.  
13          It's just about impossible to totally  
14          coordinate, with 75 counties, the drawing of  
15          the house and senate lines and the JP lines.

16          So what has happened in the past, I  
17          think, will continue to happen -- will  
18          happen this time -- is that the Board of  
19          Apportionment will do its work and then the  
20          county election commissions will come in and

21 do their work and draw the JP lines and, if  
22 it happens that they can lay those lines on  
23 top of each other to eliminate those kinds  
24 of problems, that's good, but like I say,  
25 because of the population requirements, it

17

1 often doesn't happen that way. That problem  
2 happens in all various parts of the state.

3 Sir?

4 MR. DeWAYNE KING: DeWayne King. I'm  
5 here from Magnolia. What we're trying to  
6 get at here, the legislative districts will  
7 run through -- will split Magnolia in half,  
8 split three wards in half. We understand  
9 the legislative district has to come in out  
10 of Columbia County. What we would like for  
11 it to do is to stay precincts. We have 22  
12 precincts, we understand that. What we  
13 don't understand and like is when the people  
14 come to the ballot box -- because I live on  
15 one side of the street and my neighbor lives

16 in the other ward and we're in totally  
17 different legislative districts.

18 Try to not split a city and not to  
19 split a precinct, to where everybody in the  
20 precinct pretty much knows that they're  
21 going to vote in this certain legislative  
22 district.

23 If we could jump on our local Board of  
24 Apportionment about the JP districts, I  
25 guess they may have to solve it. What we

18

1 would like is to keep cities together,  
2 voting the same legislative district, and  
3 also the precincts. It would make it a lot  
4 easier, and I still think we can get the  
5 numbers that we need.

6 We understand -- we have for years --  
7 had several legislative districts in and out  
8 of Columbia County. But we've never had it  
9 as bad as these last ten years, wards cut  
10 up, JP's cut up, you know, sometimes, we've

11 had three races in a precinct. And that's  
12 just -- that's just too much.

13 Thank you.

14 MR. TIM HUMPHRIES: Precincts and  
15 cities will be our basic -- our basic  
16 building blocks this time. The precincts,  
17 especially in areas where cities need to be  
18 split.

19 If you'll recall, in '91, the reason  
20 for splitting the City of Magnolia is  
21 because basically, we were under a court  
22 order to do so.

23 That court order was premised upon a  
24 violation of the -- a founded violation of  
25 the Voting Rights Act.

19

1 The Voting Rights Act still exists.  
2 It's still out there. Now, we don't know  
3 how we're going to have to do that yet here  
4 or in any other part of the state until we  
5 get the actual final numbers at the block

6 level. I mean, we're at the precinct level,  
7 but until we get the actual final numbers at  
8 that block level.

9 The reason it was done in '91 was as a  
10 result of a court order; otherwise, we would  
11 not have split precincts and it looks like  
12 that Magnolia would have remained intact.

13 MR. DeWAYNE KING: You said earlier you  
14 all are going to use JP districts for the --

15 MR. TIM HUMPHRIES: No, sir. Our basic  
16 building block is going to be the precinct.  
17 Throughout the state, that's our basic  
18 building block.

19 The reason I point that out is because  
20 in the last redistricting, the basic  
21 building block was townships, but that  
22 didn't work out very well. We regret the  
23 decision of having done that, so -- yes, the  
24 basic building block is going to be the  
25 precincts.

1                   For the most part, cities that are  
2                   small enough that they can be contained  
3                   within a representative district or a senate  
4                   district will not be split. But again,  
5                   federal law, the Fourteenth Amendment, the  
6                   Voting Rights Act impose requirements on the  
7                   state board that the board is going to have  
8                   to follow.

9                   We're going to have to look at those  
10                  laws in conjunction with the actual numbers  
11                  as they come out next April. We just -- we  
12                  won't know what we'll be doing until then.  
13                  It's very important that you don't dilute  
14                  the votes in various aspects of the  
15                  community.

16                 Anybody else? We came all the way down  
17                 here, folks.

18                 Yes, sir?

19                 MARK SMITH: Representative Mark Smith.  
20                 I just want to echo what I keep hearing time  
21                 and time again from Columbia County, and  
22                 that is how their county has been split up.

23                 When you look at the -- when you look  
24                 at this map on the state representatives and  
25                 when you look at the map of the senate, you



1           lay that on top of each other, it's almost  
2           like Columbia County is in the center of a  
3           pie and this little piece has gone over here  
4           and this little piece has gone over here and  
5           this little piece has gone over here.

6                     As a result, they feel like they don't  
7           have the representation -- the local  
8           representation that they would desire to  
9           have.

10                    Now, all of us here that have  
11           represented them -- Jane is here and Robert  
12           is here and the others -- I think we feel  
13           like we have done as good a job as we can  
14           representing them.

15                    But they, obviously, would prefer to  
16           have their own representative and I doubt  
17           very much if they are going to have a  
18           district that covers the whole county, but  
19           perhaps they can have a district that would  
20           at least have a majority in their county and  
21           perhaps have a representative that lives in  
22           their county.

23                    Almost two years ago, I sat down with

24 Sharon Priest, the Secretary of State, and I  
25 have talked with the Governor about this and

22

1 I've talked with the Attorney General, too,  
2 and, of course, since then, they've heard  
3 from lots and lots of folks from Columbia  
4 County.

5 I think all three of them know and I  
6 hope everybody on the Board understands the  
7 desires of Columbia County and how they feel  
8 like they have been left out of this  
9 process.

10 MR. TIM HUMPHRIES: That's why we're  
11 down here. We want to make sure that  
12 everybody's voice is heard.

13 Yes, ma'am?

14 MS. MARY TWITTY: I'm Mary Twitty with  
15 the Chamber of Commerce, City of Magnolia.  
16 Would you explain a little further about the  
17 Voting Rights Act, why Columbia County, the  
18 voting had to be split up?

19 MR. TIM HUMPHRIES: In 1989, there was  
20 a case in federal court where a group of  
21 plaintiffs in the delta and south Arkansas  
22 sued the State Board of Apportionment and  
23 alleged that the Voting Rights Act had been  
24 violated in the 1980 apportionment.

25 As a result of that lawsuit, the court

23

1 found a violation of the Voting Rights Act  
2 and ordered that a number of  
3 majority/minority districts be created.

4 In order to do that in south Arkansas,  
5 it was necessary to split up the cities of  
6 Magnolia and Camden.

7 MS. MARY TWITTY: I still wonder why we  
8 can't have -- each county can't have our  
9 representative, basically, and then the ones  
10 to make a minority population can't be drawn  
11 out from all the county -- you know, from  
12 all the county.

13 At one time, we did have all -- each

14 county had their own. And that's why I  
15 don't understand why we couldn't do that now  
16 and then -- you know, redraw in the extra  
17 district instead.

18 MR. TIM HUMPHRIES: There's a more  
19 thorough explanation of this on the website  
20 than we're going to be able to give you  
21 here. But the basic reason that we can't  
22 have the situation where each county has a  
23 representative now is because of a Supreme  
24 Court decision back in -- well, a series of  
25 Supreme Court decisions in the '60's that

24

1 held that the Fourteenth Amendment to the  
2 Constitution required that districts be  
3 drawn so that every person's vote is equal.  
4 It's called the one-person-one-vote rule.

5 You know the counties vary in  
6 population. We go everywhere from Calhoun  
7 County over here that's got 5,000 folks in  
8 it to Pulaski County that's got 350,000

9                   folks in it. So, because of that variance  
10                   in population and because of the one-person-  
11                   one-vote rule, it's now impossible to keep  
12       counties intact.

13                   Yes, sir?

14                   MR. ROBERT WHITE: I'm Robert White. I  
15                   want to preface this by saying I certainly  
16                   understand Columbia County's interest in  
17                   having a seat. I think that we all would  
18                   like to have that.

19                   But unfortunately, even Ouachita  
20                   County, we don't have a senate person who  
21                   represents us, haven't had one in years. So  
22                   that's the ideal situation. But if you look  
23                   at it county by county, there are several  
24                   counties in Arkansas that do not necessarily  
25                   have a representative.

25

1                   I do think, though, that within the  
2                   precincts and things like that, we probably  
3                   need to take a closer look at what we are

4           doing, because I can totally understand when  
5           you are on this side of the street and you  
6           are voting for one legislator and, on the  
7           other side, you are voting for another one.

8                     But again, that is not unlike Ouachita  
9           County. I live on one street, right at the  
10          end of the street, Gene picks up, and, even  
11          in certain situations, Gene has one side of  
12          the street and I have the other side of the  
13          street.

14                    So that is not unusual in Ouachita  
15          County, either. So I guess while we are  
16          trying to fix Columbia County, which I  
17          represent, I don't want to also end up with  
18          Ouachita County being any worse than we are  
19          now, even though we might not be as bad at  
20          the present time, but we're actually  
21          represented by Mark, Gene, myself, and, at  
22          the present time, Brenda Gullett out of Pine  
23          Bluff.

24                    So it's not unusual that this has taken  
25          place all over the state, and especially in

1           the areas where the Voting Act law was. And  
2           I was involved in the process and I think we  
3           do have to be extremely careful about that  
4           process and even -- whatever the court says.  
5           But what is fair in Arkansas is certainly  
6           that minorities have representation.

7                     And the process of that -- and I did  
8           want to share this with all of you -- is  
9           even with the voting rights law that have  
10          allowed for these minority impact wards, we  
11          only still have twelve representatives out  
12          of 100. And the 100 district, which is a  
13          majority ward district -- impact district --  
14          it is actually represented by a white  
15          individual and has been represented by a  
16          white individual, both cases, which is the  
17          highest number percentage-wise of a black --  
18          minority representation.

19                    Now, you're probably saying -- why I'm  
20          telling you all this is because there is  
21          still a need -- great need in Arkansas for  
22          this to continue because the pattern that  
23          was shown in the 1989 federal lawsuit which  
24          gave a lot of power to the fact of drawing  
25          these is minorities are still having major

1 problems winning in majority district seats.

2 An example is Joe Harris, who was a  
3 representative -- was one of the leading  
4 state representatives, ran in a white  
5 majority senate district with six years of  
6 experience, and was supported by, basically,  
7 both parties, believe it or not, and he lost  
8 specifically in that district to a person  
9 who had just entered politics.

10 So I think there is -- I want to make  
11 sure that the individuals from the Attorney  
12 General's offices, the Secretary of State's  
13 office, and the Governor's office understand  
14 that minorities really need that  
15 representation, and whether or not the  
16 courts see fit to continue -- because I  
17 think they will -- but in case they, for  
18 whatever reason, decide that we don't have  
19 to mandate those kind of things -- I still  
20 think for Arkansas to be the state that we  
21 would like for it to be, we need to be  
22 inclusive and make sure that the



23 representation will be there, and I think  
24 everybody in this room supports that.

25 And the last thing I want to say, we

28

1 will continue to do what we've been doing  
2 for Columbia County, to work with them and  
3 certainly be supportive, but in the process,  
4 we all need to look at what is best for  
5 south Arkansas.

6 And I would like to state that, because  
7 if we get into a fight over this and we  
8 don't come to some resolutions and then it  
9 comes from the state, then we might be no  
10 better off than we were in the beginning.

11 MR. TIM HUMPHRIES: Yes, ma'am?

12 MS. JEANETTE BISMARCK: I'm Jeanie  
13 Bismark and I'm a business person on the  
14 square in Magnolia. I understand that lines  
15 are drawn and people on different sides of  
16 the street vote in different districts and  
17 that doesn't seem strange at all.

18                   What seems a little strange is when the  
19                   person across the street from you votes in  
20                   one district from you and the person behind  
21                   you votes in the same district as the person  
22                   across from you, but your little section has  
23                   been carved out.

24                   When you just pick up this and glance  
25                   at it, it looks exactly like a textbook

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1                   gerrymandering. That's just the appearance  
2                   it gives. And I hope that your software  
3                   will enable you to put in a district that  
4                   meets the federal guidelines and, at the  
5                   same time, is a little more geographically  
6                   unified.

7                   MR. TIM HUMPHRIES: Okay. Thank you.

8                   Sir?

9                   MR. LESLIE KENT: My name is Leslie  
10                  Kent and I'm a local business person in  
11                  Magnolia. You said you had to divide  
12                  Magnolia the way you did because of a

13 federal lawsuit. You say it's still out  
14 there. When and how did you know and find  
15 out if you have to do it the same way this  
16 time, if you have to abide by that -- is  
17 anything changed?

18 It sounds to me like it might be a moot  
19 subject because you may not have any say-so  
20 about it.

21 MR. TIM HUMPHRIES: Well --

22 MR. LESLIE KENT: You would have to do  
23 it the same way you had to do it before if  
24 the lawsuit is still out there.

25 MR. TIM HUMPHRIES: Well, the board

30

1 drew the 1991 plan under the jurisdiction of  
2 the federal court. The federal court still  
3 had jurisdiction of the drawing of the 1991  
4 plan. That jurisdiction is over. That case  
5 is over.

6 That case is out there in the sense  
7 that it gives us precedent and tells us what

8 the court has said violates the Voting  
9 Rights Act.

10 We're not going to know exactly what we  
11 can do in Columbia County and, really, in  
12 any other part of the state, until the  
13 numbers come in.

14 We'll just have to see what the numbers  
15 are and the precinct numbers that we've got  
16 -- and Greg can zoom in closer on one of the  
17 cities, I think -- and it will show you even  
18 down to the tabulation block level, where  
19 the Census Bureau gives us the numbers. The  
20 block you live on, bounded by the four  
21 streets, assuming you live in a city -- the  
22 Census Bureau will be able to tell us the  
23 total population of that block, the racial  
24 make-up of that block, the age and sex  
25 make-up of that block.

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1 MR. LESLIE KENT: You abide by the  
2 precedent of that lawsuit but not by the

3 Constitution itself, then?

4 MR. TIM HUMPHRIES: The precedent of  
5 the lawsuit and that fact that the Voting  
6 Rights Act is still out there -- the  
7 Fourteenth Amendment still is out there and  
8 we're going to be guided by all those -- all  
9 those legal requirements.

10 MR. LESLIE KENT: I'll tell you that --  
11 that similar sized districts -- the  
12 population is one of the guidelines and the  
13 precedent is always another guideline. What  
14 else do you have to consider?

15 MR. TIM HUMPHRIES: The Courts have  
16 held that districts that are compact,  
17 contiguous -- that is that they don't have  
18 islands or archipelagos going out from them  
19 -- are compact, contiguous -- if they follow  
20 the one -- if they follow the -- if they  
21 contain cores of existing districts, that  
22 that's a guideline that the courts have held  
23 are guidelines that the State Board of  
24 Apportionment can use. Obviously, they have  
25 to be equal populations as nearly as

1 possible.

2 MR. LESLIE KENT: That is the main  
3 guideline, that all districts have similar  
4 population?

5 MR. TIM HUMPHRIES: That is the --  
6 pretty much preeminent, right. We have to  
7 follow the Voting Rights Act. We have to  
8 follow the Fourteenth Amendment.

9 There are various things that I would  
10 encourage -- if you want to be in that  
11 discussion, it is on website -- at that  
12 website, and I would encourage you to look  
13 at that.

14 Yes, sir?

15 UNIDENTIFIED SPEAKER: How big a  
16 minority district are we going to -- are  
17 going to be mandated -- are in place now by  
18 the apportionment in 1990? I knew it was --

19 MR. TIM HUMPHRIES: I believe it's  
20 something like 13 house and --

21 UNIDENTIFIED SPEAKER: It was drawn up  
22 by the ratio of population; am I correct?

23 MR. TIM HUMPHRIES: Well, it was drawn  
24 up according to the population in each area  
25 -- in each area that was involved in that

1 lawsuit, which is basically south Columbia  
2 County, Ouachita County area and then the  
3 delta, generally, and --

4 UNIDENTIFIED SPEAKER: What mandated 13  
5 minority districts?

6 MR. TIM HUMPHRIES: The court didn't  
7 say you had to draw 13 minority districts.  
8 It is sort of complicated the way it got  
9 there. The plaintiffs alleged that as many  
10 as 16 minority house districts could have  
11 been created as part of their lawsuit.

12 When liability was found -- when the  
13 court found that the state had violated the  
14 Voting Rights Act and ordered the Board of  
15 Apportionment to go to work and create these  
16 districts, the Board of Apportionment  
17 created 13 and contended that that was --  
18 that was the number that could reasonably be  
19 drawn, given all these guidelines that we  
20 had.

21                   The court upheld that 13 number instead  
22                   of the 16 or 17 that had been requested by  
23                   the plaintiffs.

24                   So again, we just looked at the  
25                   populations in those areas, broke it down by

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1                   race and voting age population and drew the  
2                   districts according to the guidance that the  
3                   court had given us.

4                   MR. BARNEY RUSSELL: Barney Russell of  
5                   Magnolia. It seems to me that segregation  
6                   is not right -- it is wrong. Reverse  
7                   segregation is also wrong. Two wrongs don't  
8                   make a right. To have minorities, the  
9                   majority is obviously incorrect.

10                   I feel like that you need to consider  
11                   people instead of numbers. I feel like in  
12                   Columbia County, we deserve representation,  
13                   not ten people who couldn't care less about  
14                   Columbia County -- they only want us for  
15                   their numbers. We're stool pigeons. We



16 have interests and they should be  
17 considered. Thank you.

18 MR. TIM HUMPHRIES: Yes, sir?

19 MR. LYNN STORY: Lynn Story. I'm  
20 curious to see if there is another county on  
21 there, possibly the same size as Columbia,  
22 that is split up in four different districts  
23 without a majority being in Columbia County.  
24 Are we it?

25 MR. TIM HUMPHRIES: I haven't studied

35

1 that. You see the map here. We've gotten  
2 quite a few complaints from some other  
3 counties.

4 MR. LYNN STORY: But we're the only one  
5 with four without a majority?

6 MR. TIM HUMPHRIES: Like I say, there  
7 is the map.

8 UNIDENTIFIED SPEAKER: Is it a  
9 possibility that you could have one county  
10 -- three counties have one representative so

11                   that you can vote in all three counties --  
12                   vote for, say, two representatives so that  
13                   everybody -- and that way you could juggle  
14                   the figures to get the numbers and all three  
15                   counties or four counties, whatever it  
16                   takes, could have more than one  
17                   representative?

18                   MR. TIM HUMPHRIES: It's possible, but,  
19                   you know, I don't know whether it is likely  
20                   or not. I know you're talking about three  
21                   counties having --

22                   UNIDENTIFIED SPEAKER: Well -- and you  
23                   put it together so that you would have more  
24                   than one representative; instead of  
25                   splitting the county up, split the

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1                   representation up.

2                   MR. TIM HUMPHRIES: So vote at large  
3                   and --

4                   UNIDENTIFIED SPEAKER: Yeah.

5                   MR. TIM HUMPHRIES: Combine three

6 counties and vote at large for three --

7 UNIDENTIFIED SPEAKER: Yeah.

8 MR. TIM HUMPHRIES: Have a multi-member

9 district, then, and --

10 UNIDENTIFIED SPEAKER: Right.

11 MR. TIM HUMPHRIES: Multi-member

12 districts are not unconstitutional. We have

13 three multi-member districts in the state

14 now -- one in Fort Smith, in Hot Springs and

15 one in Jonesboro.

16 So that -- that happens in different

17 places in parts of the state. That's

18 something that the Board could consider.

19 Again, I would suggest that you use our

20 website. That is a good forum if you would

21 like to suggest that, that's a good place,

22 and also use our website and mail and

23 telephone to make those suggestions.

24 Yes, ma'am?

25 UNIDENTIFIED SPEAKER:

1 (Unintelligible). I had the privilege of  
2 running in a minority district two years  
3 ago. It was one of the most wonderful,  
4 outstanding experiences of my entire life.

5 Robert and I became very good friends  
6 in the process and we hoped very much that  
7 we would be judged by who we were, not our  
8 racial background.

9 The thing I want to say -- if my  
10 figures are correct, I carried Columbia  
11 County as -- in a minority district. Now,  
12 it wasn't a landslide, as Robert knows, it  
13 was very close. But I carried it.

14 I think this attests to the fact that  
15 the people of Columbia County really aren't  
16 looking at racial background. We want  
17 representation.

18 I was very, very proud of -- that my  
19 fellow citizens who knew me respected me  
20 enough, even if my racial background was  
21 different, to choose me because I was a  
22 neighbor and I was a friend and they knew  
23 me.

24 I just wanted to say that -- that  
25 Columbia County is a big-hearted county and

1           we are an inclusive county and we are  
2           grateful for our representation now, but we  
3           would dearly love to have one of our own  
4           citizens, as we feel the Constitution  
5           allows.

6                     So I did want to, for the books, state  
7           that and the success of my campaign and the  
8           credit to the two candidates that ran that  
9           campaign the way it was run.

10                    MR. TIM HUMPHRIES: Thank you.

11                    Anybody else?

12                    Yes, sir?

13                    MR. MIKE KINARD: Mike Kinard. I have  
14           served as district senator, and my district,  
15           at the time, went right into Clark County,  
16           but did not go to Arkadelphia.

17                    After my tenure, the district grew.  
18           Again, the population number given has  
19           risen, so that now the district goes all the  
20           way through Arkadelphia and down to just  
21           below Magnolia and the same counties are  
22           involved now that were involved then.

23                    There still seems to be a cohesiveness  
24           in the senatorial district because there is

1 counties who actually have an opportunity to  
2 cast a vote for their senator.

3 We, in Columbia County, have a senate  
4 district to the east of us -- that shows  
5 Union County a senate district to the west  
6 of us that we share with Miller and Nevada  
7 County, but still we have the opportunity of  
8 saying that we belong to a senate district  
9 which is designated as three here and the  
10 people of Magnolia can have a voice and do  
11 as elected.

12 And what I'm hearing and see and  
13 understand is that while, when I work for  
14 the assembly, for myself or for some reason  
15 or for some purpose, I like to say that I'm  
16 up there representing Columbia County, who  
17 has five of the finest legislators that  
18 there are in Arkansas and in the house.

19 And then I looked over here to Ouachita

20 County and in Ouachita County, you have --  
21 how many over there, Gene -- you have five  
22 representatives? Okay. So we're going to  
23 have a senator and representatives that are  
24 part of this total composite district that  
25 make up -- give us District 38 and Senate

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1 District 3.

2 It's only the senate district that we  
3 think of in terms of that the majority of  
4 the people in our county have an opportunity  
5 to select.

6 And when I had an opportunity to be a  
7 part of this process that you're in right  
8 now on the staff with the legislative  
9 council, and we once did a redistricting --  
10 they handed us maps of the counties and  
11 color crayons and -- handed us markers and  
12 we had calculators and markers and we  
13 started drawing these districts and drew the  
14 districts, to some extent, in light of your

15 experience, your knowledge.

16 I wanted to be sure when I drew a  
17 district (unintelligible) I stayed right  
18 where he was, by the way -- and he did -- he  
19 was Columbia County's representative.

20 And it started at this point and then  
21 everybody else had to fit in. I know that's  
22 not going to happen, because I know all of  
23 you who are on the staff and you are not  
24 going to allow that kind of thing to happen.

25 But the computer, also, has to have a

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1 starting point. What we're saying here  
2 today is that we need that computer to  
3 somehow focus on our situation. And I think  
4 the candidates who have to run for these  
5 offices and the officeholders who are here  
6 today will not disagree with this -- that  
7 they need to know -- we need to know -- what  
8 kind of constituency they are going to have.

9 I recognize the Voting Rights Act and



10 have no problem with the fact that we have  
11 to follow the precedent. But if we wait  
12 until you get all the way down to southwest  
13 Arkansas -- Columbia County -- to take up  
14 these issues, then I'm afraid we're going to  
15 have to piece it together like a puzzle  
16 again.

17 We're asking that we be considered  
18 early on in the process, and I think that's  
19 the best we can ask for.

20 You had a meeting in northwest Arkansas  
21 yesterday. What size crowd did you have?

22 MR. TIM HUMPHRIES: About 50 or 60  
23 folks.

24 MR. MIKE KINARD: Okay. Twice this  
25 large?

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1 MR. TIM HUMPHRIES: I'd say, yeah.

2 MR. MIKE KINARD: They even threatened  
3 a lawsuit?

4 MR. TIM HUMPHRIES: Yes, they did.

5                   MR. MIKE KINARD: We're not here today  
6 threatening lawsuit. We're not here doing  
7 that. We're here begging for consideration  
8 and maybe we're doing it wrong, because  
9 northwest Arkansas does an awful lot of  
10 things right and southwest Arkansas, I  
11 think, sometimes gets left out because we  
12 don't speak loudly enough and make our  
13 voices heard.

14                  So we're saying as representatives we  
15 believe in our issues and we want to be sure  
16 that you take that into consideration.

17                  Again, I applaud all the members of the  
18 delegation that represent us there and I  
19 agree with each of the things that have been  
20 said here. There are things that should be  
21 said that haven't been.

22                  Is there -- anybody here in this room  
23 who needs the help of the general assembly  
24 can go to any of our members of the general  
25 assembly once they're elected. But the

1 majority of this county does not have a  
2 voice in electing anyone. Thank you.

3 MR. TIM HUMPHRIES: Thank you. I'd  
4 like to point out to you that we had five in  
5 Mountain Home and about eight or nine in  
6 Fort Smith, so I'm pleased to see the  
7 turn-out here, I really am. I'm a south  
8 Arkansan and I'm pleased to see the folks  
9 out.

10 Anybody else have any comments?

11 Yes, sir?

12 MR. JACK ENGLISH: My name is Jack  
13 English. I'm a resident of Magnolia. In  
14 describing the way that you have to come up  
15 with the boundaries of districts, you keep  
16 referring to the racial make-up of the  
17 district. Can you be more specific?  
18 Exactly what are you required to do in this  
19 regard?

20 MR. TIM HUMPHRIES: Well, in '91, the  
21 court held that the Voting Rights Act  
22 required this state to draw a majority black  
23 district in this area of Columbia County and  
24 Ouachita County.

25 So we had the racial breakup -- the

1 racial breakdown of each county, of each  
2 township, of each precinct, of each census  
3 tabulation block. And we looked at that in  
4 order to draw the district as best we could.

5 We tried not to split precincts -- I'll  
6 tell you that. I was involved in the  
7 process and we tried not to split precincts.  
8 It was just impossible to do that and also  
9 comply with the court's order.

10 MR. JACK ENGLISH: I read that there  
11 have been lawsuits against such districts in  
12 -- particularly in the State of North  
13 Carolina. The government claims they have  
14 to be reorganized because they had gone to  
15 such radical extents in coming up with the  
16 specific geographical districts.

17 Does that apply to Arkansas? Did they  
18 throw out that part of the law?

19 MR. TIM HUMPHRIES: No, they didn't  
20 throw out that part of the law, but as part  
21 of this case, the Supreme Court also held  
22 that compliance with the Voting Rights Act

23 is also still required.

24 The question is more or less left  
25 unanswered by those cases -- at least

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1 explicitly unanswered -- as to exactly what  
2 it would take to comply with the Voting  
3 Rights Act. And we really won't know, until  
4 we have the actual numbers, exactly what is  
5 going to be required in this redistricting.

6 But the Voting Rights Act is a  
7 consideration for the Board of  
8 Apportionment. It has to be because of  
9 those very cases that you mentioned.

10 Anybody else?

11 And again, there is a lot of good  
12 information about that on the website, more  
13 than I could tell you standing here. It  
14 will point you to some cases and some --  
15 also to some papers that were written that  
16 sort of explain those sorts of things.

17 Anybody else?

18 Yes, sir?

19 UNIDENTIFIED SPEAKER: Would you  
20 review, one more time before we leave, the  
21 process of the timing?

22 MR. TIM HUMPHRIES: Sure. Right now,  
23 we're in the process of conducting these  
24 sort of pre-districting hearings. We're  
25 going all around the state and trying to get

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1 what the folks of the various localities  
2 want. We've got 14 of these to go. They'll  
3 be over in December.

4 Sometime during the first of the year,  
5 the Board of Apportionment will meet again  
6 to consider the report that the staff will  
7 make to them about the results of these  
8 hearings.

9 Then in -- sometime in March -- at the  
10 latest date, April 1, we will receive the  
11 numbers from the Census Bureau and get those  
12 in our machine. It's going to probably take

13 a couple of weeks to get everything squared  
14 away before we can actually start drawing  
15 plans.

16 The staff will hole up over there in  
17 the Aegon Building across the street from  
18 the Capitol and we'll draw a proposed plan  
19 or possible plan to -- that will be taken  
20 around in another series of hearings around  
21 the state, which we think will occur --  
22 we're very hopeful that it will occur  
23 sometime in May, maybe late spring, early  
24 summer.

25 After those hearings are conducted --

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1 and the Board of Apportionment itself, I  
2 think, will actually be involved in at least  
3 some of those, then the Board of  
4 Apportionment will meet again, I think, in  
5 the late summer to actually decide what plan  
6 of apportionment it is going to adopt.

7 In '91, the way the process -- the

8 process went about the same. In '91, there  
9 were three or four meetings of the Board of  
10 Apportionment at the end of the process.  
11 Several changes were made as a result of  
12 those last meetings.

13 So it's a -- it's a fluid process. I  
14 mean, it's not something that is set in  
15 stone once the staff gets the plan. We go  
16 out, we shop it around to people.

17 We're going to come back in the area --  
18 I don't know that we'll come back to the  
19 Blue Room here at SAU, but we'll be back in  
20 the area and we'll be looking you in the eye  
21 and saying here's what we've got, you all  
22 take your shots at it. And we look forward  
23 to that.

24 But like I said, we hope to have a plan  
25 around October -- and as early in October as

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1 possible. That gives people an opportunity  
2 to -- you have to have established a



3 residence if you want to run for a  
4 legislative seat.

5 You have to have established a  
6 residence a year before the general election  
7 in which you can be elected, so if somebody  
8 needs to move, you know, down the road a  
9 little ways or across the street or  
10 something like that, it happens. It gives  
11 everybody an opportunity to do it, you know.  
12 There's no telling what will happen to the  
13 plan.

14 Also, part of that time table is the  
15 filing period for the legislature. Part of  
16 that plan begins in March -- the middle of  
17 March of 2002. So we definitely want to --  
18 that's another reason to get an early  
19 resolution of it by the Board so you can get  
20 all your litigation out of the way and get  
21 everybody set.

22 Of course, the primary election is in  
23 May of 2002, first general election in  
24 November and then the first general assembly  
25 in January of 2003 with the new

1           representatives.

2           Again, I would encourage you to look at  
3           the website. There's a lot of good  
4           information and, I think, a lot of questions  
5           -- very good questions there. Yes?

6           MR. GREG KIRKPATRICK: I have one quick  
7           thing. I'd emphasize this software, because  
8           when we come back here in the fall, we'll  
9           literally be able to show you -- and you'll  
10          be able to see firsthand at the precinct  
11          level, why the Board made the decision it  
12          did.

13          And that -- I think that's pretty  
14          impressive, really. It's not going to be  
15          just coming back here and saying, well,  
16          here's what a group of people decided in a  
17          room over the weekend.

18          It's literally going to have -- you're  
19          going to be able to see why -- why this  
20          precinct is in 38 -- I don't know that the  
21          same thing is going to happen, but, you  
22          know, why this precinct is where it is, the  
23          concept of it, the population in that  
24          precinct, how it impacted the overall  
25          precinct -- or the overall district

1           population.

2                   All that is instantaneous. It's not  
3           we're don't have to figure it up and have to  
4           work on it. The computer figures it up for  
5           us and we're going to be able to show why --  
6           why the decision was made.

7                   If that's any help, it's going to be a  
8           much more open system than ever before.

9                   MR. TIM HUMPHRIES: I'm not up here  
10          selling for this software, but if you do  
11          decide to get software for your local  
12          efforts and maybe want to help us with a  
13          plan -- I know that some folks are going to  
14          do that -- with this auto.Bound, it would be  
15          real good if you'd -- you know, we know that  
16          that's compatible with what we've got,  
17          because that's what we've got.

18                   There are other brands of software out  
19          here, but like I say -- if you think about  
20          it, I'm not selling for this software, but  
21          it's really very functional.

22 Sir?  
23 MR. JERRY PILE: Jerry Pile. Software  
24 will produce many different results, of  
25 course. How many different models are you

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1 going to produce for the Board of  
2 Apportionment, approximately?

3 MR. GREG KIRKPATRICK: It's impossible  
4 to say.

5 MR. JERRY PILE: You're not going to  
6 produce just one?

7 MR. GREG KIRKPATRICK: Well, there will  
8 be one plan. The Board will come with the  
9 recommended or the proposed plan. That will  
10 be one --

11 JERRY PILE: What will happen to the  
12 alternative models that were produced by the  
13 computer?

14 GREG KIRKPATRICK: The computer will  
15 consider every change in the precinct as an  
16 alternative model.

17 MR. JERRY PILE: So, say you have ten  
18 or 12 acceptable models under all the laws  
19 and precedents. What will happen to all ten  
20 or 12 of those?

21 MR. TIM HUMPHRIES: Well, let me have  
22 Greg show you how the software works, maybe.  
23 We've had a few bugs in it on our laptop,  
24 but the computer does not generate a model.  
25 The computer doesn't produce anything.

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1 It's going to be Greg and myself and  
2 Larry and Ron and other members of the  
3 Board. We're doing basically the same thing  
4 that Mike was talking about doing back then  
5 with the crayons and maps spread out and  
6 ten-key calculators.

7 We're doing basically the same thing as  
8 they were doing, but just using this -- this  
9 is an automated version of this.

10 GREG KIRKPATRICK: I just made -- this  
11 voting precinct was, at one point -- was at

12                   37 -- and with a click of the mouse, we've  
13                   now moved it to 38.

14                   That's not a recommendation. I just  
15                   wanted to show you what would happen. But  
16                   it's that instantaneous. That calculates  
17                   the numbers for you.

18                   When you move that precinct from one  
19                   district to the other, it changes the total  
20                   population, it gives you the racial  
21                   breakdown on what you've done and  
22                   everything, so it's not just a simple matter  
23                   of hitting a button on the computer, leaving  
24                   for the weekend and coming back and the  
25                   computer has spit out a map.

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1                   MR. JERRY PILE: Well, this also leaves  
2                   a lot more manipulation on the part of the  
3                   Board of Apportionment as to which boxes  
4                   they want to put where. And of course, what  
5                   we want to know, I think, is exactly what  
6                   factors will be used in determining where

7                   those individual boxes are going to go.  
8                   What factors will it use to move those  
9                   around from 38 to 37?

10                  MR. TIM HUMPHRIES: That's why we're  
11                  here today. We wanted to hear from you all  
12                  what factors. Now, we have the  
13                  court-approved factors and they're on  
14                  the website, but we want to hear from the  
15                  local folks. What -- how do you want us to  
16                  make those decisions?

17                  UNIDENTIFIED SPEAKER: I've got a  
18                  question. As you're leaving today, would  
19                  you speak back to us what is going to be in  
20                  your mind that you are going to take back to  
21                  Little Rock that we have said?

22                  MR. TIM HUMPHRIES: Well, this is all  
23                  being transcribed and the transcription of  
24                  this is going to be put on our website and  
25                  the -- everything that's been said today is

1                   going to be on our website.

2 UNIDENTIFIED SPEAKER: Can we boil it  
3 down to a few points that -- that you've  
4 heard that you'll carry back with you?

5 MR. TIM HUMPHRIES: I think maybe you'd  
6 be the best person to do that.

7 UNIDENTIFIED SPEAKER: I want to hear  
8 what you all are -- I mean, you're taking  
9 back -- because that's what we're sharing  
10 with you. We want to know what you're  
11 taking back having heard.

12 MR. TIM HUMPHRIES: Rather than run the  
13 risk of missing anything, I'd prefer to take  
14 the transcript back. I'm a lawyer. I  
15 prefer to take the transcript back and study  
16 it and see exactly what was said.

17 UNIDENTIFIED SPEAKER: You've heard  
18 that we want representation?

19 MR. TIM HUMPHRIES: I've heard that.

20 UNIDENTIFIED SPEAKER: Okay.

21 MR. TIM HUMPHRIES: Yes, sir?

22 MR. MIKE McNEIL: I'm Mike McNeil,  
23 managing editor of the Banner News, and I  
24 just can't fail to make a comment about  
25 this. And I'm going to tell you -- it's



1 nothing that hasn't already been written  
2 editorially in our newspaper.

3 I think Columbia County wants a  
4 district, and they don't care if it's  
5 Republican, they don't care if it's  
6 Democratic, they don't care if it is drawn  
7 to ensure that a black person is elected or  
8 a white person is elected.

9 They want a district that is based in  
10 Columbia County. I think any other  
11 considerations are nice, but they want a  
12 district that has a majority population in  
13 Columbia County.

14 MR. TIM HUMPHRIES: That pretty well  
15 sums up what we've heard.

16 Yes, sir?

17 UNIDENTIFIED SPEAKER: In the last  
18 election just a few days ago, Ouachita  
19 County (unintelligible) there was a  
20 difference of 246 votes between the two  
21 counties -- very slim -- 24, 25,000 member  
22 districts. The vote was not near that  
23 close. The majority there was just a very  
24 slim, slim majority.

1 County. I'm here to represent the people  
2 that I represent in District 38 in Columbia  
3 County. Representation is a two-way street.  
4 I can't read their minds.

5 I ask you if you need representation,  
6 please, please let me know. If you have  
7 something you want, or a county judge or  
8 district folks want, let me know. I can't  
9 do it without someone telling me or letting  
10 me know.

11 UNIDENTIFIED SPEAKER: I do have one  
12 other comment before we leave, because I  
13 think when we was talking about this whole  
14 process, there was like eight or nine  
15 counties that was invited to this particular  
16 meeting.

17 I think one of the problems -- and just  
18 for the media and everyone else -- I think  
19 the timing of the day of the meeting is not

20 very good for a lot of constituents. I  
21 think that's one of the problems.

22 I think the advertisement of the  
23 meeting only through -- as a matter of fact,  
24 I only found out about it Friday -- I'm not  
25 so sure that was accurate.

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1 So the point I'm making -- and it's  
2 held in Columbia County, which -- I don't  
3 have a problem with that, because I  
4 represent part of Columbia County, but I  
5 also want to make sure that other counties  
6 are looked at equally, and that in the  
7 process -- and Mike Kinard said it best -- I  
8 think we need to look at starting, but I  
9 think the process in south Arkansas has to  
10 be where we can compete on the same level as  
11 northwest Arkansas.

12 And one of the reasons why northwest  
13 Arkansas is successful is when they talk  
14 about northwest Arkansas, you don't hear

15 counties, you don't hear cities -- you hear  
16 northwest Arkansas.

17 And I think that's extremely important  
18 in south Arkansas -- that we hear south  
19 Arkansas, because what's good for Columbia  
20 County is good for Ouachita County, is good  
21 for Union County, it's good for Nevada  
22 County and it's good for all of us.

23 MR. TIM HUMPHRIES: And in that regard,  
24 I'm glad to see the newspaper is here and I  
25 hope that you and everybody here goes out

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1 and talks about our website, talks about the  
2 ability to send comments in on our website,  
3 number one, and also lets everybody know  
4 that either direct comment, by way of mail  
5 or telephone calls to the officers  
6 themselves or the staff that is here today  
7 or the Board of Apportionment office is  
8 welcome and we hope to have that.

9 Yes, sir?

10 MR. KERMIT PARKS: Kermit Parks, Union  
11 County. You just had a request here for a  
12 condensation of your thoughts on this and  
13 you said you're a lawyer and you want to go  
14 by the transcript, which I can certainly  
15 understand.

16 But lawyers do write briefs and it  
17 would certainly be nice on this website if  
18 there could be a synopsis of each of the  
19 hearings in the districts.

20 Most of us aren't going to have time to  
21 sift through and read all the transcripts  
22 that are going to come from 17 or 14 or  
23 however many meetings you're going to have,  
24 so sometimes, a synopsis at the end would  
25 certainly be helpful.

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1 MR. TIM HUMPHRIES: I think at the end,  
2 there is going to be a report kind of  
3 boiling everything down. But I would say  
4 that the transcripts, generally, aren't very

5 long. I mean, even in one district, our  
6 meeting only lasted -- as many folks as  
7 there were there, lasted less than an hour.

8 So the transcripts aren't very long and  
9 they are very readable. I would encourage  
10 everybody to do that. But yes, I think at  
11 the end of the -- of this comment period,  
12 there will be some sort of report.

13 Yes, ma'am?

14 MS. SHERRY BELL: My name is Sherry  
15 Bell and I'm the county clerk here in  
16 Columbia County. I think what concerns me  
17 is you are setting as a date of somewhere in  
18 October of getting final plans.

19 Is that going to give county clerks  
20 enough time -- we're low staffed here -- to  
21 go in and get our voters changed into the  
22 right precincts? Have you thought about our  
23 time frame here?

24 I know you've talked about your time  
25 frame, but -- you know, there's a lot of

1 counties that are on strict budgets that may  
2 only have one or two PCs --

3 MR. TIM HUMPHRIES: Right.

4 MS. SHERRY BELL: -- to get the work  
5 accomplished.

6 MR. TIM HUMPHRIES: The plan in '91  
7 wasn't final until January 12th of 1991, so  
8 we're hoping to beat that deadline by  
9 several months. It's difficult. I mean,  
10 you know, the reason for the last time was  
11 the litigation that was still going on.

12 MS. SHERRY BELL: Will anything be  
13 taken care of through the Secretary of State  
14 to be able to -- since they have access into  
15 our computer system -- to our server, to do  
16 anything that way, or will that all need to  
17 be manually done at the local level?

18 MR. TIM HUMPHRIES: Well, I think it is  
19 probably, most likely going to have to be  
20 handled at the local level. You've also got  
21 to take into account that the JP  
22 redistricting is -- I don't know -- Columbia  
23 County may be ahead of the game, but it is  
24 not due until sometime in January of 2002,  
25 and most counties really don't get it done

1           until kind of late in the game, too. So you  
2           folks have a lot to do before that March  
3           filing.

4           MS. SHERRY BELL: Well, we're dealing  
5           with a new system that we barely got trained  
6           on, you know, and it's still -- not all the  
7           bugs are worked out. And it just kind of  
8           concerns me because I'm very conscientious  
9           about my job.

10          MR. TIM HUMPHRIES: Well, you've got  
11          until the May election to get everything  
12          really squared away.

13          MS. SHERRY BELL: Well, yeah, the  
14          filing.

15          MR. TIM HUMPHRIES: Well, again,  
16          hopefully, you'd have every -- you know,  
17          that only affects the county votes, though.  
18          I mean, really, it's the May -- it's the  
19          primary election is when you're going to  
20          have to have everybody sorted into the  
21          new --

22          MS. SHERRY BELL: Except that you have  
23          people that have already called and said --



24 are asking what district --

25 MR. TIM HUMPHRIES: Right. Well, that

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1 -- I mean, if you can provide that to them,  
2 you can, and if you can't, you can't.

3 MS. SHERRY BELL: I'm just very  
4 conscientious. I want to make sure we have,  
5 you know, the time frame and the manpower to  
6 get the job done.

7 MR. TIM HUMPHRIES: Like I said, our  
8 target is to get it to you months before the  
9 clerks got it back in '91, is about the best  
10 we can do.

11 You know, I think that the quality of  
12 our maps is going to be such, too, that it's  
13 going to help some in that regard. And  
14 we're going to do what we can to use this  
15 software in conjunction with the voter  
16 database, but I don't hold out any real high  
17 hopes to actually being able to do what  
18 you're talking about.

19 MS. SHERRY BELL: Maybe you can see if  
20 they can help fund a staff member in our  
21 office --

22 MR. TIM HUMPHRIES: Well, the county  
23 clerks' association -- I mean, that might be  
24 an item for them to consider, if you think  
25 that's going to be a big problem. But it

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1 happens every ten years. I mean, it has to  
2 be dealt with every ten years.

3 Anyone else?

4 (No response.)

5 Okay. Thank you for coming out.

6 (Whereupon, at 11:10 a.m., the taking  
7 of the above-entitled public hearing was  
8 concluded.)

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C E R T I F I C A T E

STATE OF ARKANSAS       )  
                                  ) ss.:

COUNTY OF PULASKI        )

I, Sharon A. Rapelje, Certified Court  
Reporter and notary public in and for the County of  
Pulaski, State of Arkansas, duly commissioned and  
acting, do hereby certify that the above-entitled  
proceedings were taken by me in Stenotype, and were  
thereafter reduced to print by means of computer-assisted  
transcription, and the same truly, and  
correctly reflects the proceedings had.

WHEREFORE, I have subscribed my  
signature and affixed my notarial seal as such notary  
public at the City of Little Rock, County of Pulaski,  
State of Arkansas, this the \_\_\_\_ day of \_\_\_\_\_,  
2001.

---

SHARON A. RAPELJE, CCR  
NOTARY PUBLIC IN AND FOR  
PULASKI COUNTY, ARKANSAS

My Commission Expires:  
September 9, 2009

